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REMARKS

Applicant's attorney thanks the Examiner for his comments. Independent Claims 20 and 39 are amended to indicate that the composition includes encapsulated first and second parts. The encapsulated first part includes the epoxy resin and reactive diluent. The separately encapsulated second part includes the curing agent. Support is found on page 4, lines 21-29 and page 10, lines 1-21 of the specification. Applicant request reconsideration of the final claim rejections, for the following reasons.

a) Rejection Of Claims 20-31 and 37-54 Based On Double Patenting

The rejection of Claims 20-31 and 37-54 based on obviousness-type double patenting is respectfully traversed. This rejection is based on U.S. Patent 6,291,555 (Surjan et al. '555, claims 1-19), U.S. Patent 6,403,678 (Surjan et al. '678, claims 1-2 and 8-10) or U.S. Patent 6,420,458 (Surjan et al. '458, claims 1-12 and 23-26), in view of U.S. Patent 6,645,340 (Gienau et al.), U.S. Patent 5,962,602 (Hartman et al.), U.S. Patent 6,166,849 (Coleman et al.) and U.S. Patent 5,681,178 (Morgan et al.).

On April 21, 2011, Applicant submitted three Terminal Disclaimers for Surjan et al. '555, Surjan et al. '678, and Surjan et al. '458. The Examiner disallowed the Terminal Disclaimers because the undersigned mistakenly submitted a Power of Attorney bearing the wrong serial number. Subsequently, on June 2, 2011, the undersigned submitted the correct Power of Attorney by online filing. That Power of Attorney was executed by Mark W. Croll, Esq., a Vice President of Illinois Tool Works Inc., on April 1, 2011. Therefore, the undersigned had proper authority to submit the three Terminal Disclaimers on April 21, 2011.

Nevertheless, Applicant is resubmitting the three Terminal Disclaimers with a current date. The fees for the Terminal Disclaimers were previously paid. Please change any additional amount owed, or credit any overpayment, to Deposit Account 19-3550.

Applicant believes that the obviousness-type double patenting rejection has been overcome, and requests withdrawal of this rejection.

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b) Rejection Of Claims 20-31, 35, 37-43 And 47-54 Under 35 U.S.C. §103(a)

The rejection of Claims 20-31, 35, 37-43 and 47-54 under 35 U.S.C. §103(a) as obvious over Surjan et al. '555 in view of Gienau et al., Hartman et al., Coleman et al. and Morgan et al. is respectfully traversed.

Surjan et al. '555 does not disclose a curable adhesive composition comprising an encapsulated first part including an epoxy resin and a reactive diluent, and a separately encapsulated second part including at least one tertiary amine, as required by independent Claims 20 and 39. In fact, Surjan et al. '555 *expressly teaches away* from separate encapsulation. As stated in the Abstract of Surjan et al. '555:

The first and second parts are *joined directly to each other along an interface*. The first part includes a resin, and the second part includes a curing agent. The anchoring adhesive does not require separate encapsulation of one or both parts, and can be formed and cut to desired quantities at any stage before insertion into a borehole.

As shown in Figs. 1 and 2, Surjan et al. '555 discloses a rope of chemical anchoring adhesive that is unwound from a coil as segments are cut off and used. The rope is exposed at both ends and the first and second parts are continuously joined at an interface which extends the length of the rope. The disclosed configuration defies encapsulation of the first and second parts. The unencapsulated rope-like configuration is enabled by the fact that both parts have very high viscosities of 5 million to 50 million centpoise (Col. 2, lines 27-45).

Moreover, as explained previously, the need for very high viscosities would negate the use of reactive diluents and other flow-enhancing agents. The two parts of the chemical anchoring adhesive in Surjan et al. '555 are designed not to flow, but to instead maintain a solid, patty-like consistency (Col. 2, lines 14-25).

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Gienau et al. and Hartman et al. are cited as disclosing reactive diluents. However, as explained above, adding a reactive diluent to the adhesive composition of Surjan et al. '555 is counterintuitive given the high viscosity requirements of Surjan et al. '555. Also, given that the first and second parts of the Surjan et al. '555 adhesive are in continuous contact with each other, the inclusion of a reactive diluent could potentially destabilize the adhesive and cause premature curing.

For these reasons, Applicant's claims are not obvious over the cited combination of references. Applicant requests withdrawal of this obviousness rejection.

c) Second Rejection Of Claims 20-31, 35, 37-43 And 47-54 Under 35 U.S.C. §103(a)

The rejection of Claims 20-31, 35, 37-43, 47-54 under 35 U.S.C. §103(a) as obvious over Coleman et al., Hartman et al., Gienau et al, and Japanese Patent 2000-154359 is respectfully traversed.

The Office Action does not state why Coleman et al. has been cited as the primary reference. Coleman et al. discloses a method for sealing the peripheral edge surface of a laminated electrooptic device, where an aromatic glycidyl amine-based epoxy is used as the seal. (Abstract). This has nothing to do with Applicant's claimed invention.

Hartman et al. discloses an epoxy sealer/healer formulation for repairing cracked concrete. The formulation includes an epoxy resin, an amine, and a dialkylene triamine-alkylene oxide adduct (Abstract). While the composition is provided in two parts A and B, there is no disclosure of separate encapsulation (Col. 3, line 42- Col. 4, line 4). Hartman et al., combined with Coleman et al., does not disclose or suggest the limitations of Applicant's independent Claims 20 and 39.

Morgan et al. discloses surface marking systems. Again, the reference has nothing to do with Applicant's claimed invention. The combination of references does not disclose or suggest the limitations of Applicant's independent claims.

Gienau discloses a reactive diluent as part of a two-component mortar system. The reference does not disclose or suggest Applicant's claimed anchoring adhesive composition. Also, the Examiner has not alleged a motivation to combine the

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myriad of divergent reference. Even if the references could be properly combined, the combination would not disclose or suggest the limitations of Applicant's independent claims.

Japanese Patent 2000-154359 is cited as disclosing a weight ratio of epoxy compound to diluent of 65:10 to 90:0.5. However, the reference apparently does not disclose an anchoring adhesive composition. The Examiner has not set forth a motivation for combining this reference with the others, and has not explained how the combined references would allegedly disclose or suggest the limitations of Applicant's claims.

In summary, the new citation of Coleman et al. as a primary reference is confusing. The Examiner has not explained how or why Coleman et al. could be combined with the other references to arrive at Applicant's claims. This claim rejection merely presents a blanket allegation of obviousness without providing supporting reasons.

For these reasons, Applicant's claims are not obvious over the cited combination of references. This claim rejection should be withdrawn.

d) Conclusion

Applicant believes that the claims, as now presented, are in condition for allowance. Reconsideration and allowance of the claims are respectfully requested.

Respectfully submitted,



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